

Honolulu, Hawaii
JUN 25, 2020

RE: S.B. No. 2878
H.D. 2

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirtieth State Legislature
Regular Session of 2020
State of Hawaii

Sir:

Your Committee on Consumer Protection & Commerce, to which was referred S.B. No. 2878, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO MASSAGE THERAPY,"

begs leave to report as follows:

The purpose of this measure is to institute certain consumer protections with regard to massage therapy by:

- (1) Requiring the Board of Massage Therapy, rather than the Department of Health, to adopt and enforce sanitary rules for massage therapy establishments;
- (2) Repealing the penalty for unlicensed practice of massage therapy in favor of existing law that treats unlicensed activity as a misdemeanor; and
- (3) Increasing the fines for violations of the laws regulating massage therapy.

Your Committee received testimony in support of this measure from the Board of Massage Therapy, American Massage Therapy Association - Hawaii Chapter, IMUAlliance, and two individuals. Your Committee received testimony in opposition to this measure from one individual.



Your Committee finds that in October 2018, the sanitation rules for massage therapy establishments under the Department of Health were repealed. Since then, massage therapy establishments have not been required to comply with any sanitation requirements. Your Committee further finds that the Board of Massage Therapy lacks the statutory authority to adopt and enforce sanitation rules. This measure protects the public by granting rulemaking authority to and clarifying the enforcement powers of the Board of Massage Therapy.

Your Committee has amended this measure by changing its effective date to upon approval.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2878, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as S.B. No. 2878, H.D. 2.

Respectfully submitted on
behalf of the members of the
Committee on Consumer
Protection & Commerce,



ROY M. TAKUMI, Chair



